

REMARKS

Claims 1-22 and 26-33 are pending in this application. Claims 1-4, 7, 15 and 19 are currently amended. Claims 23-25 are cancelled. Claims 28-33 are new.

The Examiner rejected claims 12-22 as anticipated by U.S. Patent No. 5,951,674 issued to Moreno, et al. The Examiner rejected claims 1-11 and 26-27 under 35 U.S.C. 103(a) as rendered obvious by Moreno in view of U.S. Patent No. 6,988,183 issued to Wong, et al. Applicants respectfully traverse the Examiner's rejections.

Claim 1, as amended, recites "retrieving a first set of instructions as compiled instruction words having a first length and executable on a first processor of said plurality; and modifying, during runtime of one of the programs, at least some of the instruction words of the first set of instructions by converting them into modified-instruction words executable on a second processor of said plurality." As an initial matter, Moreno is not an appropriate primary reference. Moreno pre-compiles code into tree-instructions, which are not executable, but which are turned into executable instructions by a preprocessor. Thus, Moreno does not teach or suggest modifying compiled instruction words executable on a first processor, as recited. In addition, the Examiner concedes that Moreno does not teach, suggest or motivate modifying instructions (whether or not compiled and executable by the first processor) at run time. The Examiner points to Wong as suggesting modifying at run time. Applicants are uncertain what portion of Moreno the Examiner is suggesting should be modified to occur at run time. To the extent the Examiner is suggesting that the tree-instructions of Moreno should be generated at run time, this would not achieve the claimed subject matter as discussed above. Applicants also respectfully submit that one of skill in the art would not be motivated to generate the tree-instructions of Moreno at run time because this would significantly increase the computational requirements, leading to either slow operation or substantial increases in hardware. Accordingly, claim 1 is not rendered obvious by Moreno, alone or in combination with Wong. Claims 2-11 and 26 depend from claim 1 and are allowable at least by virtue of their dependencies.

Independent claim 12 recites "means for converting instruction words of the first length compiled for execution on the first processor into modified instruction words of the

second length executable on the second processor.” As noted above, Moreno does not teach, suggest or motivate modifying compiled instruction words. Accordingly, claim 12 is not anticipated or rendered obvious by Moreno, alone or in combination with Wong. Claims 13, 14, 27 and 28 depend from claim 12 and are allowable at least by virtue of their dependencies.

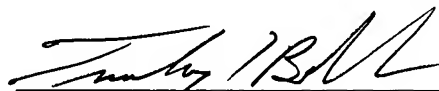
Independent claim 15, as amended, recites, “a plurality of processors coupled for receiving compiled instruction sets; a first processor of the plurality coupled to each of the other processors within said plurality, said first processor receiving from the other processors data representative of the workload of each of said other processors; an output signal from said first processor to said instruction set stream, said output signal controlling the instructions, which are sent to each of said processors based on the results of the workload measurement of said processors. Independent claim 19, as amended, similarly recites, “receiving a plurality of executable instruction sets on a bus line connected to said processors ... sending a signal from said first processor based on the data representative of the workload of each of the processors of said plurality to the bus line for modifying the number of executable instruction sets sent to each processor based on their respective workloads.” Moreno, alone or in combination with Wong, does not teach, suggest or motivate receiving a plurality of executable instruction sets. Accordingly, claims 15 and 19 are allowable. Claims 16-18 and 29 and 30 depend from claim 15 and claims 20-22 and new claims 31-33 depend from claim 19, and are allowable at least by virtue of their dependencies.

Application No. 10/612,831
Reply to Office Action dated February 20, 2007

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC



Timothy L. Boller
Registration No. 47,435

TLB:jms

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

950597_2.DOC